



City of Mesquite, Texas

Meeting Agenda

City Council

Monday, April 15, 2024

5:00 PM

City Hall | Council Chamber
757 N. Galloway Avenue | Mesquite, Texas

Members of the public desiring to speak during Citizens Forum may complete a registration card, which is available at the entrance to the City Council Chamber, and present it to the City Secretary prior to the meeting or pre-register by sending an email, including name, address and subject to be discussed, to the City Secretary at sland@cityofmesquite.com by 3:00 p.m., on April 15, 2024.

PRE-MEETING - TRAINING ROOMS A&B - 5:00 P.M.

AGENDA REVIEW

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 5:00 P.M.

In accordance with Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into executive session to discuss any of the following:

- Pending and/or Contemplated Litigation
- Purchase, Exchange, Lease or Value of Real Property
- Personnel Matters
- Economic Development

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:00 P.M.

- 1 [24-7109](#) Receive presentation regarding the 2023 Meritorious Conduct Awards to Police Department employees.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:00 P.M.

INVOCATION

Kelly James, Pastor, Pathway of Life, Dallas, Texas.

PLEDGE OF ALLEGIANCE

Dallas Children's Advocacy Center on behalf of the Mesquite Police Department.

SPECIAL RECOGNITION

- 2 [24-7115](#) Recognize staff members from Pioneer Technology & Arts Academy.

SPECIAL ANNOUNCEMENTS

This time is reserved for special announcements and recognition of individuals or groups.

CITIZENS FORUM

At this time a number of citizens not to exceed 10 shall be allowed to speak on any matter other than items on the agenda, personnel matters, matters under litigation or matters concerning the purchase, exchange, lease or value of real property for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. No Council action or discussion is to be taken until such matter is placed on the Agenda and posted in accordance with law.

CITIZENS COMMENTS

At this time, any individual wishing to discuss any matter on the agenda shall be allowed to speak for a length of time not exceeding three minutes on a first-come, first-served basis. Citizens addressing the Council through a translator will be allowed six minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

CONSENT AGENDA

(All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the Council or any individual wish to discuss any item, said item may be removed from the Consent Agenda upon request by a City Councilmember.)

- 3 [24-7138](#) Minutes of the regular City Council meeting held April 1, 2024.
- Attachments:* [April 1, 2024, minutes](#)
- 4 [24-7146](#) A resolution supporting passage of the Railway Safety Act of 2023 (S.576/H.R.1674) to support America's first responders and keep trains moving safely in communities.
- Attachments:* [Resolution](#)
- 5 [24-7143](#) Bid No. 2024-055 - Lakeside Addition Sanitary Sewer.
(Authorize the City Manager to finalize and execute a contract with low bidder Douglas Dailey Construction, LLC in the amount of \$1,472,416.00.)
- Attachments:* [Recommendation Letter](#)
 [Bid Tabulation](#)
 [Location Map](#)
- 6 [24-7136](#) Bid No. 2024-099 - Purchase of One Backhoe for Utilities.
(Staff recommends award to RDO Equipment Company, through Sourcewell Contract No. 011723-JDC, in an amount not to exceed \$129,657.27.)

Attachments: [Quote](#)
 [Photo](#)

- 7 [24-7130](#) Bid No. 2024-100 - Annual Lease Agreement for Accuriopress C4080 Color Printer with Booklet Maker.
(Authorize the City Manager to finalize and execute a contract and any required documents with Konica Minolta Business Solutions U.S.A., Inc., through Sourcewell Contract No. 030321-KON, in an amount not to exceed \$216,569.20. The term of this lease is for 60 months, subject to annual appropriation of sufficient funds.)

Attachments: [Accuriopress C4080 Machine Specification Sheet](#)

- 8 [24-7137](#) Bid No. 2024-103 - Purchase of Two Roll-Off Trucks for Commercial Solid Waste.
(Staff recommends award to Bruckner Truck Sales, through HGAC Contract No. HT06-20, in an amount not to exceed \$446,989.00.)

Attachments: [Quote](#)
 [Photo](#)

- 9 [24-7134](#) Authorize the Mesquite Fire Department's participation in the Texas Task Force 1 and 2, approve the Texas Task Force Memorandum of Understanding (MOU) between the City of Mesquite and Texas A&M Engineering Extension Service (TEEX), and authorize the Fire Chief's execution of the MOU.

Attachments: [Memorandum of Understanding](#)

- 10 [24-7144](#) Authorize the City Manager to finalize and execute Change Order Nos. 4 and 5 to Bid No. 2023-082, Utility Relocation for CSJ: 0095-10-033 (U.S. Highway 80 from Interstate Highway 30 to Gus Thomasson Road), with ANA Site Construction, LLC for additional services required in the total amount of \$518,985.90.

Attachments: [Change Order No. 4](#)
 [Change Order No. 5](#)

- 11 [24-7145](#) Authorize the Police Chief to finalize and execute a Task Force Agreement Pertaining to Use of Mesquite Police Department Body-Worn Cameras by Deputized Task Force Officers between the Mesquite Police Department and Drug Enforcement Administration.

Attachments: [BWC Task Force Agreement \(March 2024\) Mesquite PD](#)

- 12 [24-7151](#) Authorize the City Manager to finalize and execute Amendment No. 1 to the Consulting Services Contract with Nathan James Tyler, dba Tin Can Golf Instruction, to provide golf lessons at the Mesquite Golf Club and authorizing four additional one-year renewal options with fees for each renewal year not to exceed \$49,500.00, subject to the annual appropriation of sufficient funds.

- 13 [24-7135](#) Approve Amendment No. 3 to the 2023-24 Police State Seizure Budget in accordance with Title 28, Section 524, of the United States Code and Chapter 59 of the Texas Code of Criminal Procedure in the amount of \$323,500.00.

Attachments: [State Seizure Amendment No.3](#)

PUBLIC HEARINGS

(City Council may approve a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height or density that is higher than the one requested; or (2) change the uses to include nonresidential when the request is for solely residential uses or vice versa.)

- 14 [24-7140](#) Conduct a public hearing to gather input from residents on the proposed changes regarding an update to the Water Conservation Plan and Water Resource and Emergency Management Plan as required by the Texas Commission on Environmental Quality (TCEQ) and the Texas Water Development Board.

Attachments: [2024 Draft Water Conservation and Water Resource and Emergency Management Plan](#)

- 15 [24-7141](#) Conduct a public hearing and consider a resolution supporting Town East Trails Realty, LP's application to the Federal Home Loan Bank of Dallas for a grant that supports affordable housing for the construction of a 76-unit, senior-restricted affordable multi-family rental housing development to be located at 1220 North Town East Boulevard on the northeast corner of Poteet Drive and Independence Drive and authorizing the City Secretary to certify the Resolution to the Federal Home Loan Bank Board.

Attachments: [Ordinance No. 5049 - Approved PD Ordinance](#)

[Letter of Request](#)

[Press Release](#)

[Resolution](#)

- 16 [24-7148](#) Conduct a public hearing and consider an ordinance for Zoning Application No. Z0224-0345, submitted by Emily Zoellner of Manhard Consulting, for a change of zoning from Commercial and R-2 Single-Family Residential to Planned Development - Commercial to allow an office warehouse development with modified development standards, located at 21900, 22000 and 22100 Interstate Highway 635.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

Attachments: [Staff Report and Maps](#)

[P&Z Minutes](#)

[Ordinance](#)

- 17 [24-7139](#) Conduct a public hearing and consider an ordinance revising the City Code by making a Zoning Ordinance Text Amendment, ZTA No. 2024-02, thereby revising Appendix C - Zoning Ordinance; Part 2 (Residential Districts) for the purpose of updating the City's ordinances regarding parking requirements for multifamily residential development. (The Planning and Zoning Commission recommends approval of the zoning text amendment.)

Attachments: [Staff Memo](#)
 [PZ Minutes](#)
 [Ordinance](#)

ADJOURNMENT

NOTICE OF EXECUTIVE SESSION

Pending and Contemplated Litigation

Pursuant to Section 551.071 of the Texas Government Code, the City Council will meet in closed session to consider pending or contemplated litigation subjects or settlement offers. The following cases/subjects may be discussed:

1. Anthony Wagner v. City of Mesquite, Texas, Cause No. DC-22-02864 - Filed 03-14-2022; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-22-00826-CV - Filed 08-10-2022
2. City of Dallas, City of Mesquite, et al., v. Disney DTC, LLC, et al., Cause No. DC-22-09128 - Filed 08-03-2022; appeal to 5th District Court of Appeals, Dallas, Cause No. 05-23-00485-CV - Filed 05-19-2023
3. Cesar Nunez-Solis v. The City of Mesquite, Texas, Cause No. DC-22-11631 - Filed 09-06-2022
4. J'Mei Walker, II v. City of Mesquite, Cause No. DC-23-04762 - Filed 04-11-2023
5. State of Texas v. Villa, Cause No. 05-22-00220-CR, pending in the Court of Criminal Appeals, Cause No. PD-0756-23
6. David Briones v. City of Mesquite and Steven Pierce, Cause No. CC-23-05044-E - Filed 08-04-2023
7. April Patton v. City of Mesquite, Cause No. DC-23-14996, Filed 09-13-2023
8. Danny Booker v. City of Mesquite Risk Management, Cause No. DC-23-18301 - Filed 10-25-2023
9. Elgin Singleton v. City of Mesquite, Cause No. DC-23-18152 - Filed 10-25-2023
10. Avery Fuentes v. Jeffery Holland and City of Mesquite, Cause No. DC-23-19555 - Filed 11-20-2023
11. Bethany Hall and Antonio Holmes v. City of Mesquite, et al; Case No. DC-24-00034, Filed 01-02-2024; removed to the United States District Court for the Northern District of Texas, Dallas Division, Case No. 3:24-cv-00231-B, on 01-30-2024
12. Dominick Green v. R. Rose, C. Pabst and the City of Mesquite, Texas, Cause No. 3:24-cv-00337-X, Filed 02-12-2024
13. Mesquite Asset Recovery Group, LLC; Verde Center Partners, LLC; HQZ Partners, L.P.; Lang and Company, LLC; and MCG-124, LLC v. City of Mesquite, Texas, Cause No. DC-24-02668, Filed 02-15-2024

Real Property

Pursuant to Section 551.072 of the Texas Government Code, the City Council will meet in closed session to consider the purchase, exchange, lease or value of real property. The following subjects may be discussed:

18 24-7155 Discuss exchange of property on Faithon P. Lucas, Sr., Boulevard.

Personnel Matters

Pursuant to Section 551.074 of the Texas Government Code, the City Council may consider the appointment, evaluation, employment, reassignment, duties, discipline or dismissal of the City Manager, City Attorney, Municipal Court Judge, City Secretary, members of the various City boards and commissions, and City officers or other employees. A complete list of the members of the City boards and commissions is on file in the City Secretary's office.

Following discussions in executive session, the City Council will reconvene in open session where any final action regarding executive session items will be taken.

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters posted on this agenda, when such executive session is authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations regarding Real Property), 551.073 (Deliberations regarding Gifts or Donations), 551.074 (Personnel Matters), 551.076 (Deliberations regarding Security Devices or Security Audits) and 551.087 (Economic Development); Texas Tax Code Section 321.3022 (Sales Tax Information) and Texas Government Code Section 418.183(f) (Emergency Management).

The City Hall is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours in advance of the meeting. To make arrangements, call the City Secretary's office at 972-216-6244 or TDD 1-800-735-2989.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Conforme a la Sección 30.06 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego oculta), personas con licencia segun el Sub-capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando un arma de fuego oculta.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

Conforme a la Sección 30.07 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego a la vista), personas con licencia segun el Sub-capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando una arma de fuego a la vista.

Pursuant to Section 551.007(c) of the Texas Local Government Code, any member of the public wishing to address the City Council through the use of a translator is granted at least twice the amount of time as a member of the public who does not require the assistance of a translator.